

REMARKS

In the Office Action mailed November 18, 2008 the Office noted that claims 18-25 and 33-38 were pending and rejected claims 18-25 and 33-38. Claims 18 has been amended, no claims have been canceled, and, thus, in view of the foregoing claims 18-25 and 33-38 remain pending for reconsideration which is requested. No new matter has been added. The Office's rejections are traversed below.

REJECTIONS under 35 U.S.C. § 102

Claims 18-22, 25, and 33-38 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Carmont, GB 12,231. The Applicants respectfully disagree and traverse the rejection with an argument.

Carmont discusses a non-skid stud for India rubber tires.

On pages 2 and 3 of the Office Action, the Office asserts that Carmont, figures 1, 5, 6 and 7 disclose "in that said threaded portion presents a substantially conical or frusto-conical core," as in claim 18.

In the Response to Arguments, the Office asserts that "conical is defined as having the form of, resembling or pertaining to a cone. A cone has a pointed end and circular end and therefore the core of Carmont has a conical shape. Moreover,

even if applicant further limited the claim to distinguish conical as being sloped, it is conventional in the art for threaded pieces to have a flat end as shown by Carmont or a pointed end (therefore would have a conical shape including a sloped surface.)"

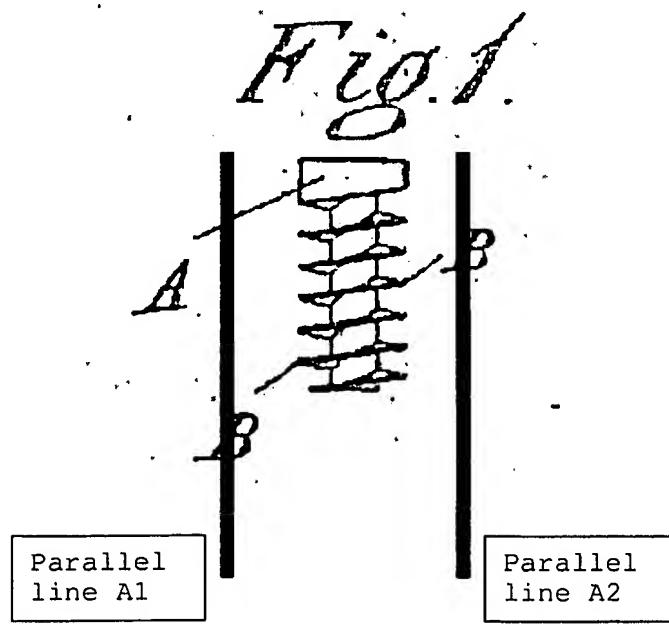
The Applicant respectfully disagrees. Merriam-Webster's online dictionary defines a cone as

Main Entry:

'cone

1 a: a solid generated by rotating a right triangle about one of its legs -called also *right circular cone* b: a solid bounded by a circular or other closed plane base and the surface formed **by line segments joining every point of the boundary** of the base to a common vertex [Emphasis added]

It cannot be said that in Carmont that the line segments join every point of the boundary.



As shown above in the annotated Fig. 1 of Carmont, the parallel lines A1 and A2 that run parallel to the core of Carmont never intersect (i.e. joining every point). Therefore, it cannot be said that the core of Carmont is conical.

However, the Applicant has amended claim 18 to recite "characterised in that said threaded portion presents a thread provided with a free helical edge which extends along a cylindrical surface; in that said threaded portion **presents a core** which is conical or frusto-conical **having sloped sides for a length of said threaded portion;** and in that said threaded portion presents a thread provided at its free start with a cutting edge, said cutting edge being orientated with the same inclination as said thread." (Emphasis added) Support for the amendment may be found for example, in Fig. 1. The Applicants submit that no new matter is believed to have been added by the amendment of claim 18.

In Carmont it cannot be said that the sides of the core are sloped along the length of the threaded portion.

For at least the reasons discussed above, Carmont fails to anticipate claim 18 and the claims dependent therefrom.

Withdrawal of the rejections is respectfully requested.

REJECTIONS under 35 U.S.C. § 103

Claims 18-21, 23-24, 33-25 stand rejected under 35 U.S.C. § 103(a) as being obvious over Forslund, U.S. Patent No.

3,124,191 and Official Notice The Applicants respectfully disagree and traverse the rejection with an argument.

The present invention claims a stud having a large cutting edge with the same inclination of the thread, a conical or frusto-conical core and a thread extending along a cylindrical surface.

Thus the invention as claimed provides a self tapping stud that facilitates penetration into the rubber (conical or frusto-conical core) without breaking it (large culling edge with the same inclination of the thread). Such a conical or frusto-conical core it is possible to have a large cutting edge that make easier the entrance into the tyre. The frusto-conical core and the large cutting edge, inclined as the thread, facilitate the penetration of the stud into the rubber. Further, during the operations, the stud so shaped, do not stress and do not tear the rubber.

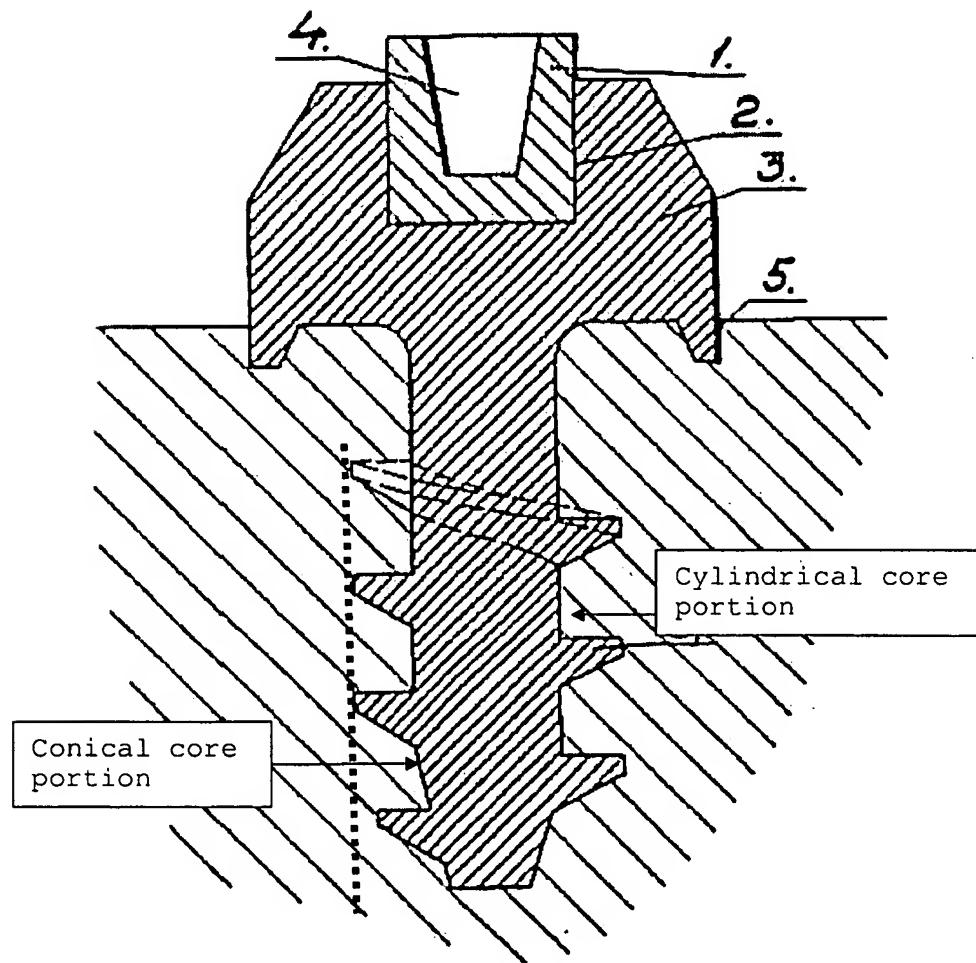
Forslund discusses a stud with a thread of trapezoidal profile, the helical edge extends along a variable diameter and comprises an annular flange to be inserted into the tyre.

On col. 2, lines 14-17 of Forslund, it is stated that the "top of the thread may preferably be rounded to a suitable radius or may be severed in parallel to the longitudinal axis, so that the profile of the thread becomes trapezoidal."

Thus, Forslund does not disclose or make obvious in view of Official notice "said threaded portion **presents a core**

which is conical or frusto-conical having *sloped sides for a length of said threaded portion,*" (emphasis added) as in amended claim 18.

Fig. 1.



As shown above in the annotated figure 1, of Forslund,

the core does not have conical shape with sloped side for the length of the threaded portion. The Applicant acknowledges that the core has a "Conical core portion" at the bottom of figure. However the core along the length of threaded portion is not conical as shown by the "Cylindrical core portion." The Applicant also submits that the design choices are not obvious in view of the prior art.

Further, claim 18 requires that the "threaded portion presents a thread provided with a free helical edge which extends along a cylindrical surface." However, as the dotted line shows the thread at the tip of stud of Forslund is not cylindrical, otherwise, it would have been parallel to the other threads.

For at least the reasons discussed above, Forslund in view of Official Notice fails to render obvious the features of claim 18 and the claims dependent therefrom.

Further, Forslund fails to disclose "said obtuse angle is between 95 and 110 degrees," as in claim 22. The reference is silent to such a feature.

Withdrawal of the rejections is respectfully requested.

SUMMARY

It is submitted that the claims satisfy the requirements of 35 U.S.C. §§ 102 and 103. It is also submitted that claims 18-25 and 33-38 continue to be allowable. It is further submitted that the claims are not taught, disclosed or

suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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